

AMENDMENTS TO THE DRAWINGS

A drawing sheet containing Figure 12 is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. The drawing figure has been amended to correct the sequence identifier. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific change made to Figure 12 is as follows:

The sequence erroneously identified as SEQ ID NO: 107 is replaced with the correct sequence identifier SEQ ID NO: 170.

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks.

The specification is amended to add sequence identifiers and replace the sequence erroneously identified as SEQ ID NO: 107 with the correct sequence identifier SEQ ID NO: 170. Furthermore, the specification is amended to specify that the nucleotide sequence of the mutated TipA gene promoter in the -10 region sequence is SEQ ID NO: 169 or SEQ ID NO: 170. The sequence listing is also amended to add the sequence listing for SEQ ID NO: 169 and SEQ ID NO: 170.

Claim 1 is amended to specify that the nucleotide sequence of the mutated TipA gene promoter in the -10 region sequence is SEQ ID NO: 169 or SEQ ID NO: 170. Claims 4 and 5 are amended to correct formalities.

Support for the amendments to the specification, the sequence listing and claim 1 may be found throughout the specification, and in particular in paragraph [0045] at page 5 of the published patent application (“the TipA gene promoter may be any of those obtained by modifying the sequence of the TipA gene promoter, such as a TipA-LG10 promoter”), and in Figures 12 and 13. Figure 12 shows the sequence of a mutant TipA gene promoter (SEQ ID NO: 170). Figure 13 shows that the nucleotide sequence of the TipA-LG10 promoter may be obtained by substituting the nucleotide sequence “gtcagagaagggagcgccatg” (SEQ ID NO: 124) with the nucleotide sequence “gtctagaaataattttgtttaactttaagaaggagatataccatg” (SEQ ID NO: 125). SEQ ID NO: 170 (erroneously identified as SEQ ID NO: 107 in the previous response) comprises the nucleotide sequence “gtcagagaagggagcgccatg”. Replacing this sequence with the nucleotide sequence “gtctagaaataattttgtttaactttaagaaggagatataccatg” produces SEQ ID NO: 169.

Accordingly, no new matter is introduced into the application. Entry of these amendments is therefore respectfully requested.

Applicants submit that the present application is in condition for allowance. An early indication to this effect is requested. The Examiner is invited to contact the undersigned by telephone if a telephone interview would advance the prosecution of the present application.

The Commissioner also is authorized to charge any additional fees, which may be required under 37 CFR §§ 1.16-1.17, and to credit any overpayment to Deposit Account No. 19-0741. Should no proper payment accompany this response, then the Commissioner is authorized to charge the unpaid amount to the same deposit account. If any extension is needed for timely acceptance of submitted papers, applicants hereby petition for such extension under 37 CFR § 1.136 and authorize payment of the relevant fee(s) from the deposit account.

Respectfully submitted,

Date 10 September 2008

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicants
Registration No. 29,768

ANNOTATED SHEET

Fig. 12

